

REMARKS

Claims 1-8 and 12-15 are pending. Claims 12-15 have been canceled without prejudice or disclaimer of the subject matter contained therein. The Office action of November 17, 2003 has been carefully considered. Applicant requests that the Examiner consider the above amendments and the following remarks, and place the application in condition for allowance.

Rejections Under 35 US § 112

Claims 1-8 and 12-15 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter that the applicant regards as the invention. Claims 1, 2 and 6 have been amended to clarify the meaning of multilayer as suggested by Examiner.

Rejections Under 35 USC § 102

Claims 1-8 and 12-15 are rejected under 35 USC § 102(b) as being anticipated by Ragland '701 (US 5,408,071). Claims 12-15 have been canceled without prejudice and without disclaimer of the subject matter contained therein.

Ragland '701 relates to a heat distributing device which **includes** a heat source within the device. The device 1 contains a heat source 2 "located adjacent " one of the layers. Col 4, line 47.

Claims 1 – 8 of the present invention do not claim a heat source within the device as taught by Ragland '701. Thus, Claims 1-8 are not anticipated by Ragland '701 and should be allowed.

CONCLUSION

Reconsideration and allowance of the above-identified application are respectfully requested. In the event that there are any questions concerning this Amendment, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution may be expedited.

Respectfully, submitted,

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Date: March 12, 2004